

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3959

IN THE MATTER OF:

Served June 18, 1992

Application of R.V. GOEBEL FAMILY,)   
INC., for Temporary Authority -- )   
Irregular Route Operations )

Case No. AP-92-19

By application filed May 28, 1992, R.V. Goebel Family, Inc. (RVG or applicant), seeks temporary authority to transport passengers in irregular route operations between points in the Metropolitan District pursuant to a contract with The Corridor Transportation Corporation (CTC). The application is unopposed.

SUMMARY OF EVIDENCE

RVG proposes to enter into an agreement with CTC obligating RVG to provide public bus service in the Laurel, MD area. ATE Management and Service Company, Inc. (ATE), Certificate of Authority No. 157, currently is providing this service under a contract which expires July 1, 1992. CTC issued an invitation for bids on February 24, 1992, soliciting offers of a 3-year contract for service scheduled to commence upon the expiration of ATE's contract. RVG is the successful bidder.

RVG's application includes information regarding, among other things, its facilities, vehicle maintenance arrangements, driver training practices, proposed tariff, finances, and regulatory compliance record. The application is supported by a notarized affidavit and addendum from CTC.

DISCUSSION AND CONCLUSION

This proceeding is governed by the Compact, Title II, Article XI, Section 13(a), which provides:

When the Commission finds that there is an immediate need for service that is not available, the Commission may grant temporary authority for that service without a hearing or other proceeding up to a maximum of 180 consecutive days, unless suspended or revoked for good cause.

This proceeding also is governed by Commission Regulation No. 54-06(a), which provides:

Applications seeking temporary authority to conduct for-hire transportation of passengers in the Metropolitan District shall be accompanied by evidence sufficient to enable the Commission to determine (i) the exact nature of the service proposed, (ii) that

there is an immediate need for service that is not available, and (iii) that applicant is fit to provide the temporary service proposed.

The record establishes that CTC has a need for the services of a carrier which can operate scheduled bus service in the Laurel, MD, area beginning July 1, 1992. Inasmuch as RVG, and no other, has been awarded the right to provide such service at that time, and no duly authorized carrier has protested this application, the Commission finds that a sufficient showing of unavailability of service has been made.

The record also establishes that RVG is fit to provide the temporary service proposed. RVG has ten new 22-passenger buses on order and \$25,600 in working capital. RVG management has experience transporting passengers for hire under federal and state authority. Applicant appears to be sufficiently insured. Applicant's secretary certifies on RVG's behalf that it has access to, is familiar with, and will comply with the Compact, the Commission's rules and regulations, and applicable United States Department of Transportation regulations.

THEREFORE, IT IS ORDERED:

1. That R.V. Goebel Family, Inc., is hereby conditionally granted a maximum of 180 days temporary authority, contingent upon timely compliance with the terms of this order, to transport passengers in irregular route operations between points in the Metropolitan District in accordance with the terms of its contract with The Corridor Transportation Corporation.

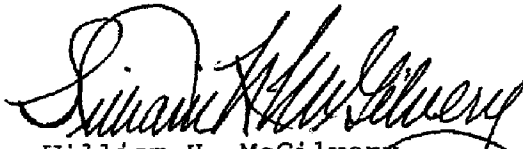
2. That R.V. Goebel Family, Inc., is hereby directed to comply with the following requirements within 30 days from the date of this order: (a) identify revenue vehicles in accordance with Commission Regulation No. 61; (b) file a notarized affidavit of compliance with Commission Regulation No. 61; (c) file four copies of WMATC Temporary Tariff No. AP-92-19; (d) file an equipment list stating year, make, model, serial number, vehicle number (if any), seating capacity and license plate number (with jurisdiction) for all revenue vehicles to be used in the proposed service; (e) file evidence of ownership and, if any vehicles are owned by an entity other than R.V. Goebel Family, Inc., lease(s) as appropriate, for all revenue vehicles to be used in the proposed service, and (f) file a certificate of insurance in conformance with Commission Regulation No. 58 and Order No. 3623 covering all vehicles to be used in the proposed service.

3. That the Executive Director shall notify R.V. Goebel Family, Inc., in writing, upon its timely compliance with the requirements of this order, that it may commence operations pursuant to temporary authority.

4. That the temporary authority granted herein, shall expire Sunday, December 27, 1992, unless otherwise ordered by the Commission.

5. That unless R.V. Goebel Family, Inc., complies with the requirements of this order within 30 days from date of issuance or such additional time as the Commission may direct or allow, the grant of authority contained herein shall be void, and this application shall stand denied in its entirety effective upon the expiration of said compliance time.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS DAVENPORT, SCHIFTER, AND SHANNON:



William H. McGilver  
Executive Director

